

BEST AVAILABLE COPY

10/17/2005 13:34 FAX 7043316090

ALSTON BIRD LLP

006

Appl. No.: 09/993,654
Amdt. dated 10/17/2005
Reply to Office action of June 17, 2005

REMARKS

This amendment is responsive to the Official Action dated June 17, 2005. Applicant would like to thank the Examiner for a timely and thorough review of the above-referenced patent application. Claims 1-12 were previously pending in the application. Claims 1-8 and 10-12 have been rejected. Applicant has amended Claims 1 and 11 and cancelled Claims 8 and 9 to overcome the rejections, as explained more fully below. It is respectfully submitted that in light of the arguments and claim amendment, the application is now in condition for allowance.

The Official Action rejected Claims 1-3, 8, and 10-12 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,923,750 to Enting et al. ("Enting") in view of U.S. Patent No. 6,084,976 to Lin ("Lin"). The Official Action rejected Claims 4 and 6 under 35 U.S.C. § 103(a) as being unpatentable over Enting in view of Lin, and further in view of U.S. Patent No. 6,549,169 to Matsuyoshi et al. ("Matsuyoshi"). The Official Action rejected Claim 5 under 35 U.S.C. § 103(a) as being unpatentable over Enting in view of Lin, and further in view of Matsuyoshi and U.S. Patent No. 5,963,434 to Jonsson et al. ("Jonsson"). The Official Action rejected Claim 7 under 35 U.S.C. § 103(a) as being unpatentable over Enting in view of Lin, and further in view of Publication No. EP000909077A2 to Weckstroem ("Weckstroem").

Although the Official Action objected to Claim 9 as being dependent upon a rejected independent claim, the Official Action did confirm that dependent Claim 9 defines allowable subject matter and would be allowable if rewritten in independent form. Independent Claims 1 and 11 have therefore been amended to include the recitations of Claim 9; thereby effectively rewriting the allowable dependent claim in independent form. The amendment of Claims 1 and 11 should not be taken as acquiescence to the rejection of the remainder of the claims and Applicant expressly reserves the right to file continuation application(s) to further prosecute the remainder of the claims.

In view of the amended claims and the remarks presented above, it is respectfully submitted that the rejection of independent Claims 1 and 11 is overcome. Since Claims 2-10 depend from independent Claim 1, and Claim 12 depends from independent Claim 11, it is respectfully submitted that the rejection of Claims 2-10 and 12 is overcome. As such, all of the

BEST AVAILABLE COP

10/17/2005 13:35 FAX 7043316090

ALSTON BIRD LLP

007

Appl. No.: 09/993,654
Amtd. dated 10/17/2005
Reply to Office action of June 17, 2005

present claims of the present application are in condition for immediate allowance. It is therefore respectfully requested that a Notice of Allowance be issued. The Examiner is encouraged to contact Applicant's undersigned attorney to resolve any remaining issues in order to expedite examination of the present application.

It is not believed that extensions of time or fees for net addition of claims are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 16-0605.

Respectfully submitted,

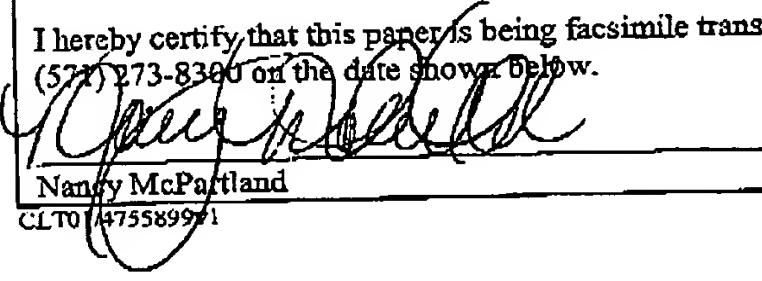


Brian J. Teague
Registration No. 55,670

Customer No. 00826
ALSTON & BIRD LLP
Bank of America Plaza
101 South Tryon Street, Suite 4000
Charlotte, NC 28280-4000
Tel Charlotte Office (704) 444-1000
Fax Charlotte Office (704) 444-1111

CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that this paper is being facsimile transmitted to the US Patent and Trademark Office at Fax No. (571) 273-8300 on the date shown below.


Nancy McPartland
CLTO 1475589971

Date

10-17-05